

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

In re:)	
)	
COMMISSARY OPERATIONS, INC.,)	Case No. 308-06279
)	Chapter 11
Debtor.)	Judge Harrison
_____)	
)	
COMMISSARY OPERATIONS, INC.,)	
)	
Plaintiff,)	
)	
v.)	Adv. Pro. No.: 3:09-ap-00299
)	
NATIONAL STEAK PROCESSORS, INC. dba)	
NATIONAL STEAK AND POULTRY,)	
)	
Defendant.)	

MOTION TO REFUND FILING FEE

Commissary Operations, Inc. (the “Debtor” or the “Plaintiff”) respectfully moves for a refund of the filing fee of \$250.00 paid in the above-captioned adversary proceeding. This adversary proceeding was commenced with an inadvertent reference to an incorrect main case: NuKote International, Inc. Based on instructions from the Office of the Clerk of the Court, Debtor re-filed its Complaint against the above-named defendants with the correct main case association: Commissary Operations, Inc. The Complaint was assigned a new adversary proceeding number, 3:09-ap-00306, and Debtor paid the \$250 filing fee again in that adversary proceeding.

Based on additional instructions from the Office of the Clerk of the Court, the Debtor intends to move to withdraw this adversary proceeding and strike it from the docket, without

prejudice. In connection therewith, and due to the duplicate payment of the filing fee as instructed by the Office of the Clerk, Debtor hereby moves the court for a refund of the filing fee for this adversary proceeding.

WHEREFORE, Debtor respectfully moves for a refund of the \$250.00 filing fee, which should be made payable to Debtor's counsel, Harwell Howard Hyne Gabbert & Manner, P.C., and such other relief as is appropriate and just.

Respectfully submitted,

HARWELL HOWARD HYNE
GABBERT & MANNER, P.C.

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